

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Civil File No. 05-CV-2743 RHK/AJB

Twin City Pipe Trades Service  
Association, Inc., a Minnesota  
non-profit corporation,

Plaintiff,

**ORDER**

vs.

Consolidated Mechanical  
Contractors, Inc., a Minnesota  
corporation,

Defendant.

---

This matter came before the Court on May 3, 2006, on Plaintiff's Motion for Default Judgment against Defendant Consolidated Mechanical Contractors, Inc., William A. Cumming appeared for Plaintiff. No appearance was made for Defendant.

Based on all of the files, records, and proceedings in this matter, and being fully advised in the premises, **IT IS ORDERED** that:

1. Default be Entered by the Clerk against Defendant;
2. Plaintiff's Motion for Default Money Judgment is Granted; and
3. Judgment in the amount of \$35,287.04 Shall be Entered against Defendant

Consolidated Mechanical Contractors, Inc., in favor of Plaintiff Twin City Pipe Trades Service Association, Inc., representing:

- a) \$26,919.38 in unpaid fringe benefits contributions,
- b) \$663.08 in an unpaid Plaintiff's payroll audit of Defendant's records;

- c) \$5,327.63 for liquidated damages due,
- d) \$365.75 in interest, and
- e) \$2,011.20 for reasonable costs and attorney's fees.

**IT IS FURTHER ORDERED** that Defendant Consolidated Mechanical Contractors, Inc., is enjoined and required to post a bond in favor of Plaintiff Twin City Pipe Trades Service Association, Inc., as approved by the Service Association Board, or deposit cash, in the amount of \$45,000.00 conditioned and sufficient to pay all the benefit payments due for a period of at least three (3) months in advance.

**IT IS FURTHER ORDERED** that Defendant Consolidated Mechanical Contractors, Inc., is enjoined and required to make its benefit contribution payments once a week not later than three (3) working days (excluding Saturdays, Sundays, and holidays) after the close of the weekly period for which contributions are due.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 3, 2006

s/ Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge